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# HOUSE BILL No. 1049

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-5-13.

**Synopsis:** Waiver of charges for criminal record checks. Exempts area agencies on aging from paying a fee to obtain limited criminal history records.

**Effective:** July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1049

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 5-2-5-13, AS AMENDED BY P.L.109-2002,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2003]: Sec. 13. (a) The department may not charge a fee for  
4       responding to a request for the release of a limited criminal history  
5       record if the request is made by a nonprofit organization:

6               (1) that has been in existence for at least ten (10) years; and

7               (2) that:

8                       (A) has a primary purpose of providing an individual  
9                       relationship for a child with an adult volunteer if the request  
10                      is made as part of a background investigation of a prospective  
11                      adult volunteer for the organization;

12                     (B) is a home health agency licensed under IC 16-27-1;

13                     (C) is a community mental retardation and other  
14                      developmental disabilities center (as defined in IC 12-7-2-39);

15                     or

16                     (D) is a supervised group living facility licensed under  
17                      IC 12-28-5; or



1           **(E) is an area agency on aging designated under**  
2           **IC 12-10-1.**

3           (b) The department may not charge a fee for responding to a request  
4           for the release of a limited criminal history record made by the division  
5           of family and children or a county office of family and children if the  
6           request is made as part of a background investigation of an applicant  
7           for a license under IC 12-17.2 or IC 12-17.4.

8           (c) The department may not charge a fee for responding to a request  
9           for the release of a limited criminal history if the request is made by a  
10          school corporation, special education cooperative, or non-public school  
11          (as defined in IC 20-10.1-1-3) as part of a background investigation of  
12          an employee or adult volunteer for the school corporation, special  
13          education cooperative, or non-public school.

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